

05-27-05

CofC

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below, utilizing the "Express Mail" service and mailed with "Express Mail label number 538301745US to Mail Stop Certificate of Correction Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Winsome St Rose

May 25, 2005
Date of Mailing

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Peter Vischer, et al

US Patent No. 6,872,566, issued March 29, 2005

SERIAL NO.: 10/033,426, filed December 27, 2001

FOR: METHOD FOR PROCESSING A
NUCLEIC ACID SAMPLE BY SWINGING
A SEGMENT OF A CARTRIDGE WALL, A
SYSTEM AND A CARTRIDGE FOR
PERFORMING SUCH A METHOD

) EXAMINER: Jeffrey Fredman

) ART UNIT: 1637

) Confirmation No. 9281

)

) Attorney Docket 19026-US

)

Certificate
JUN 06 2005
of Correction

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR APPLICANT'S MISTAKE (37 C.F.R. 1.323)

Mail Stop Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Patentees hereby respectfully request issuance of a Certificate of Correction for the above-identified patent with respect to inventor Marcel Aeschlimann and the assignee Roche Molecular Systems, Inc. The correction is listed on the attached Form PTO-1050, submitted in duplicate.

It is noted that an error appears in this patent of a

☒ clerical
☒ typographical

nature or character, as more fully described below.

✓ Second inventor, Marc Aeschlimann's name was spelt incorrectly on the original Oath and

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Declaration executed March 20, 2002. To correct this error, a Supplemental Oath and Declaration is being provided to the USPTO to correct indicating the correct spelling of the inventor's name.

- ✓ Also, the Attorney of Record inadvertently omitted the name of the Assignee, Roche Molecular Systems, Inc, on the Issue Fee Transmittal dated December 15, 2004. Roche Molecular System is the Assignee of the entire interest of this patent recorded on May 29, 2002 on Reel 012950/Frame 0033.

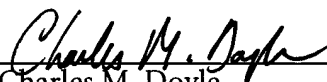
The errors occurred in good faith and the correction requested thereof does not involve changes in the patent as would constitute new matter or would require re-examination. A certificate of correction is requested.

The Commissioner is hereby authorized to charge the fee required under 37 CFR 1.20(a) in the amount of \$100.00, or any fee deficiency, or credit any overpayment, to Deposit Account No. 50-0812.

Respectfully submitted,

Date:

5/24/05


Charles M. Doyle
Reg. No. 39,175

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,872,566

DATED : March 29, 2005

INVENTOR(S) : Peter VISCHER and Marcel AESCHLIMANN

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page

Please delete inventor Marcel Aeschilmann and replace with

-- Marcel Aeschlimann. --

After Inventors, please insert

-- (73) Assignee: Roche Molecular Systems, Inc
Alameda, California (US)

MAILING ADDRESS OF SENDER: Charles M. Doyle, PhD, JD
ROCHE MOLECULAR SYSTEMS, INC.
Patent Department
1145 Atlantic Avenue
Alameda, California 94501

PATENT NO. 6,872,566 B2

No. of additional copies



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PTO/SB/04 (09-04)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**SUPPLEMENTAL
DECLARATION FOR UTILITY
OR DESIGN
PATENT APPLICATION
(37 CFR 1.67)**

Attorney Docket Number	19026-US
First Named Inventor	Peter VISCHER
COMPLETE IF KNOWN	
Application Number	10/033,426
Filing Date	December 27, 2001
Art Unit	1637
Examiner Name	Jeffrey N. Fredman

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method for Processing a Nucleic Acid Sample by Swinging a Segment of a Cartridge wall, A System and a Cartridge for Performing such a Method

(Title of the invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 12/27/2001 as United States Application Number or PCT International

Application Number 10/033,426 and was amended on (MM/DD/YYYY)

I hereby declare that the subject matter of the ☐ attached amendment ☐ amendment filed on was part of the invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority		Certified Copy Attached?	
			Not Claimed		YES	NO
00811252.6	Europe	12/28/2000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JUN 7 2005

Serial No. 10/033,426
Filed: December 27, 2001

PTO/SB/04 (09-04)
Approved for use through 07/31/2008. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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SUPPLEMENTAL DECLARATION — UTILITY OR DESIGN PATENT APPLICATION

Direct all correspondence to: <input checked="" type="checkbox"/> The address associated with Customer Number:		22829	
OR <input type="checkbox"/> Correspondence address below			
Name			
Address			
Address			
City		State	ZIP
Country		Telephone	Fax
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name		Family Name or Surname	
Inventor's Signature			Date
Residence: City		State	Citizenship
Mailing Address			
Mailing Address			
City		State	Country
Name of Second Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name		Family Name or Surname	
MARCEL		AESCHLIMANN	
Inventor's Signature <i>Marcel Aeschlimann</i>			Date
4-23-05			
Residence: City		State	Citizenship
LIGERZ		CH	CH
Mailing Address			
DORFGASSE 65, LIGERZ, SWITZERLAND CH-2514			
Mailing Address			
DORFGASSE 65, LIGERZ, SWITZERLAND CH-2514			
City		State	Country
LIGERZ		CH-2514	CH
<input type="checkbox"/> Additional inventor(s) or legal representative(s) are being named on the _____ supplemental sheet(s) PTO/SB/ 02A or 02LR attached hereto.			

JUN 7 2005